



05-17-10A09:48 RCVD  
**TOWN OF LAUDERDALE-BY-THE-SEA**

Item No. 29

**ROUNDTABLE ITEM REQUEST FORM**

**Town Commission**

Department Submitting Request

**Vice Mayor Stuart Dodd**

Mayor/Commissioner Name

**Meeting Date / Time**

☐ April 28, 2010 / 7:00 PM

☒ May 26, 2010 / 7:00 PM

☐ June 9, 2010 / 7:00 PM

☐ June 23, 2010 / 7:00 PM

**Deadline w/o Backup**

☐ April 21, 2010 / Noon

☒ May 19, 2010 / Noon

☐ June 2, 2010 / Noon

☐ June 16, 2010 / Noon

**Deadline w Backup**

☐ April 19, 2010 / Noon

☐ May 17, 2010 / Noon

☐ June 7, 2010 / Noon

☐ June 14, 2010 / Noon

**ITEM/ITEMS\*:** Red Light Cameras

**ACTION OR OUTCOME EXPECTED:**


Personally I would be in favor of this as red light cameras have a proven track record to reduce the number of accidents.

**SPECIAL NOTES:**

No backup required

**\*ITEMS LISTED THAT WOULD BE GOING TO REGULAR COMMISSION AGENDA REQUIRE NEW AGENDA ITEM REQUEST FORM WITH AMPLE TIME TO PRODUCE BACKUP**

DATE: May 20, 2010

TO: Mayor & City Commission  
FROM: Connie Hoffmann, Interim Town Manager   
RE: Red Light Camera Issue

I thought the following article was germane to the Vice Mayor's roundtable item. Please be advised that Governor Crist did sign the bill earlier this week.

**Palm Beach Post, The (FL)**  
May 13, 2010

#### **RED LIGHT BILL GIVES CITIES SECOND THOUGHTS**

Author: CHARLES ELMORE, *Palm Beach Post Staff Writer*

Article Text:

Gov. Charlie Crist is "looking favorably" on a **red light camera** bill that must be signed by week's end, a spokesman said, but some cities see a problem: a lot less money than they once expected.

The bill addresses one legal problem for the cities: a court decision that said Aventura did not have the authority to collect **camera** fees under state law.

Although state lawmakers clarified that issue, they also decided to dip into the municipalities' newfound revenue source. After the state takes its cut, local governments would be left with a smaller share of the fines to pay private **camera** companies.

The bill would send \$70 to \$100 of each \$158 fine to the state, while requiring local governments to pay **camera** vendors in lump sums, not a per-violation trickle. Many cities signed what amounted to no-money-down deals with **camera** contractors and are rethinking the contracts.

Royal Palm Beach, for example, is among the municipalities recalculating whether **cameras** will remain worthwhile. The village's contract was designed to create safer intersections with no up-front cost, said Ray Liggins, acting village manager and engineer. "With the flat-rate fee structure, I will not be able to achieve 100 percent compliance at no cost to the law-abiding citizen."

The governor "has expressed support for the bill and will take official action prior to the Saturday deadline," Crist spokesman Sterling Ivey said Wednesday.

If he signs, it will be over the objections of motorist group AAA. In a letter urging a veto, AAA Auto Club South Senior Vice President Kevin Bakewell in Tampa saw revenue, not safety, as "the driving factor" in its passage:

"When Goldman Sachs bought a major share of American Traffic Solutions in 2008, ATS President James Tuton was quoted in the Phoenix Business Journal: 'As more cities use ATS' photo radar and **red-light cameras**, an increasing number are deciding to follow suit, particularly in tight economic times, when they are seen as revenue generators.'"

In a letter responding to AAA, the Florida League of Cities called the bill a "powerful deterrent" to **red-light** runners and noted that \$13 from each fine was earmarked for public health.

But Royal Palm Beach, which to date has issued warnings at two intersections, is reconsidering its plans to move forward and start issuing fines.

Another example: West Palm Beach, the first city in Palm Beach County to complete a full month of fines in March.

The city could have expected to reap as much as \$4 million annually if March statistics were projected over 12 months at five intersections. Under the original deal, it would have paid ATS about \$47.50 from each \$125 fine, or up to \$1.5 million, assuming all fines were paid. In the end, the city would clear up to \$2.5 million.

But now the picture looks different, for two main reasons: The state is taking a share and right-turn fines are officially discouraged. The city had 826 citations not involving right turns in March, which projected over 12 months under the new fine structure amounts to less than \$750,000 for the city. And a big chunk of that will have to be pledged to ATS under a renegotiated deal.

West Palm spokesman Peter Robbins said the city expects that its contract with ATS "would need to be revisited."

The **camera** company agrees: "We are anticipating amending most, if not all, of our agreements to be fully compliant with the new law," ATS spokeswoman Beth Leytham said.

The bill discourages fines for "prudent" right turns on **red**. In West Palm Beach, right turns were the most common violation, accounting for about two-thirds of the 2,675 citations in March.

On April 5, the city decided on its own to stop enforcing right-turn cases, which drew many complaints. Making a right turn at a **red light** without stopping remains illegal, but the issue is how strictly to enforce it.

In person, police rarely ticket someone who inches across the white line, looks for oncoming traffic, then proceeds. A special magistrate tossed out 17 right-turn cases among the first 22 **red light** fines appealed in West Palm Beach.

Palm Beach County is fine-tuning a deal to pay \$4,750 per **camera** per month at 10 planned intersections, said Dan Weisberg, the county's traffic division director. The first **camera**, in the Boca Raton area, is the final permitting stages.

Under the deal, the county would have to pay ATS no more than the total fines in any given month, but would have to make up any shortfall if future months bring more fines, Weisberg said.

But if monthly fines are lower than expected, local governments could lose money, after paying a police officer to review **camera** footage and other enforcement costs.

More than two dozen cities and counties in Florida have passed ordinances allowing **red light cameras**. The state estimates that revenues would increase by about \$38 million in 2010-11, compared with \$12 million for local governments. By 2013-14, the state would take in about \$125 million under the bill, compared with approximately \$78 million for local governments.

One private **camera** vendor's e-mail announced Tuesday evening to clients, including Palm Beach County, that the governor had already signed the bill.

"Jumped the gun," ATS spokeswoman Leytham said Wednesday.